

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 3902 AND 3904 WADFORD STREET IN THE
3 DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-
4 NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO COMMUNITY
5 COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-
6 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-CO-NP)
7 COMBINING DISTRICT.

8
9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
10

11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district from family residence-neighborhood plan (SF-3-NP) combining
13 district to community commercial-mixed use-vertical mixed use building-conditional
14 overlay-neighborhood plan (GR-MU-V-CO-NP) combining district on the property
15 described in Zoning Case No. C14-2008-0072, on file at the Neighborhood Planning and
16 Zoning Department, as follows:

17
18 Two tracts of land, each being a 0.171 acre tract of land, more or less, being
19 portions of Lot 7, Fortview Subdivision, in Travis County, the tracts of land being
20 more particularly described by metes and bounds in Exhibit "A" incorporated into
21 this ordinance (the "Property"),
22

23 locally known as 3902 and 3904 Wadford Street, in the City of Austin, Travis County,
24 Texas, and generally identified in the map attached as Exhibit "B".
25

26 **PART 2.** Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the
27 Property may be developed and used in accordance with the regulations established for the
28 community commercial (GR) base district and other applicable requirements of the City
29 Code.
30

31 **PART 3.** The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical*
32 *Mixed Use Buildings*) as follows:
33

- 34 A. The Property is exempt from the dimensional standards identified in Article
35 4.3.3 E.2. (*Dimensional and Parking Requirements*).
36

1 B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3.
2 (*Dimensional and Parking Requirements*).
3

4 C. Ten percent of residential units available for rental in a vertical mixed use
5 building shall be reserved for households earning no more than 60 percent of
6 the Annual Median Family Income.
7

8 **PART 4.** The Property within the boundaries of the conditional overlay combining district
9 established by this ordinance is subject to the following conditions:
10

11 A. A site plan or building permit for the Property may not be approved, released,
12 or issued, if the completed development or uses of the Property, considered
13 cumulatively with all existing or previously authorized development and uses,
14 generate traffic that exceeds 500 trips per day.
15

16 B. The following uses are prohibited uses of the Property:
17

18 Automotive repair services

Automotive rentals

19 Automotive sales

Automotive washing (of any type)

20 Pawn shop services

Commercial blood plasma center

21 Vehicle storage
22

23 **PART 5.** The Property is subject to Ordinance No. 011206-10 that established the Dawson
24 neighborhood plan combining district.
25

26 **PART 6.** This ordinance takes effect on _____, 2008.
27

28
29 **PASSED AND APPROVED**
30

31 §

32 §

33 §

_____, 2008

Will Wynn
Mayor

34
35
36
37
38 **APPROVED:** _____ **ATTEST:** _____

39 David Allan Smith
40 City Attorney

Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724

Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**KCGR 670 I, LP (2008024912)
0.171 ACRE ZONING DESCRIPTION**

A DESCRIPTION OF 0.171 ACRES (APPROXIMATELY 7,449 S.F.) OUT OF LOT 7 OF FORTVIEW, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 606, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO KCGR 670 I, LP, BY WARRANTY DEED DATED FEBRUARY 28, 2006, RECORDED IN DOCUMENT NO. 2008024912, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.171 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/8" rebar found for the northeast corner of the 0.171 acre tract, being also the southeast line of a 0.171 acre tract, recorded in Document No. 2006040109, of the Official Public Records of Travis County, Texas and in the west right-of-way line of Wadford Street (right-of-way width varies), from which a 1" bolt found bears North 21°53'00" East, a distance of 49.91 feet;

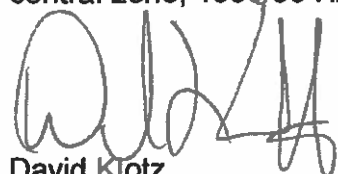
THENCE South 21°53'00" West, with the west line of Wadford Street and the east line of the 0.171 acre tract, a distance of 50.00 feet to a 1/2" rebar with cap set for the southeast corner of the 0.171 acre tract, being also the northeast corner of the remainder of a 0.233 acre tract, recorded in Volume 6167, Page 1092, of the Deed Records of Travis County, Texas, from which a Texas Department of Transportation (TxDOT) type II disk found bears South 21°53'00" West, a distance of 80.34 feet;

THENCE North 62°39'03" West, with the common line of the 0.171 acre tract and the 0.379 acre tract, a distance of 149.75 feet to a 1/2" rebar with cap set for the southwest corner of the 0.171 acre tract, being also the northwest corner of the 0.379 acre tract, and in the east line of the remainder tract conveyed to James H. Lacey, recorded in Document No. 2000015541, of the Official Public Records of Travis County, Texas, from which an "X" cut in concrete found bears South 22°06'19" West, a distance of 55.87 feet;

THENCE North 22°06'19" East, with the common line of the 0.171 acre tract and the 0.287 acre tract, a distance of 49.98 feet to a 1/2" rebar found for the northwest corner of the 0.171 acre tract (2008024912) being also the southwest corner of a 0.171 acre tract recorded in Document No. 2006040109, of the Official Public Records of Travis County, Texas;

THENCE South 62°39'03" East, with the common line of the 0.171 acre tract and the 0.171 acre tract, a distance of 149.56 feet to the **POINT OF BEGINNING**, containing 0.171 acres of land, more or less.

Surveyed on the ground February 12, 2007. Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: None.

 7/31/08

David Klotz.

Registered Professional Land Surveyor
State of Texas No. 5428





**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**KCGR 670 I, LP (2006040109)
0.171 ACRE ZONING DESCRIPTION**

A DESCRIPTION OF 0.171 ACRES (APPROXIMATELY 7,434 S.F.) IN THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS, BEING OUT OF LOT 7 OF FORTVIEW, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 606, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT 0.171 ACRE TRACT CONVEYED TO KCGR 670 I, LP BY WARRANTY DEED, DATED FEBRUARY 28, 2006, RECORDED IN DOCUMENT NO. 2006040109, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.171 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1" bolt found for the northeast corner of the 0.171 acre tract, being also the southeast corner of a 150' x 52.5' tract of land described in Volume 1891, Page 181 of the Deed Records of Travis County, Texas and in the west right-of-way line of Wadford Street (right-of-way width varies), from which a 1" bolt found, bears North 21°27'53" East, a distance of 42.94 feet;


THENCE South 21°53'00" West with the west right-of-way line of Wadford Street and the east line of the 0.171 acre tract, a distance of 49.91 feet to a 3/8" rebar found for the southeast corner of the 0.171 acre tract, being also the northeast corner of a 0.171 acre tract of land recorded in Document No. 2008024912 of the Official Public Records of Travis County, Texas;

THENCE North 62°39'03" West with the common lines of the 0.171 acre tracts, a distance of 149.56 feet to a 3/8" rebar found for the common corner of the 0.171 acre tracts, being also in the east line of the remainder tract conveyed to James H. Lacey, recorded in Document No. 2000015541, of the Official Public Records of Travis County, Texas;

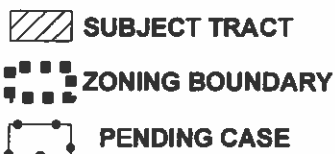
THENCE North 22°06'19" East with the common line of the 0.171 acre tract and the James H. Lacey tract, a distance of 50.00 feet to a 1/2" rebar with cap set for the northwest corner of the 0.171 acre tract, being also the southwest corner of the 150' x 52.5' tract;

THENCE South 62°36'35" East with the common line of the 0.171 acre tract, and the 150' x 50' tract, a distance of 149.37 feet to the **POINT OF BEGINNING**, containing 0.171 acres of land, more or less.

Surveyed on the ground February 12, 2007. Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: None.

 3/12/08
David Klotz
Registered Professional Land Surveyor
State of Texas No. 5428





ZONING CASE#: C14-2008-0072
ADDRESS: 3902 & 3904 WADFORD ST
SUBJECT AREA: 0.342 ACRES
GRID: H18
MANAGER: R. LEVINSKI



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.